

### **Amendments to the Drawings**

Please amend FIGS. 1 and 6 as shown in the accompanying replacement sheets of drawings. The legend "PRIOR ART" has been added to FIG. 1, and the reference numeral "190" has been changed to "189" in FIG. 6.

Attachments: 2 annotated sheets  
2 replacement sheets

### Remarks

This is in response to the first Office Action mailed July 28, 2006, which objected to the drawings and rejected originally presented claims 1-20. The Applicant has hereinabove provided amendments to the drawings, specification and claims.

The drawings have been amended to add a legend "PRIOR ART" to the data storage device depicted in FIG. 1, and to change the reference numeral "190" to "189" in FIG. 6. The paragraph in the specification beginning at page 9, line 4 has been amended to change "190" to "189," to better conform to amended FIG. 6.

The amendments to the claims include changes to the language of independent claims 1, 9, 11, 13 and 20, and the cancellation without prejudice of claims 8 and 19.

Independent claim 1 now generally recites "*distributing a desired range of data values to be obtained from the database across a plurality of different query statements, the desired range accessible using a single login account of a computer network associated with the database.*" Support for this is set forth including in the specification at page 8, line 25 to page 9, line 3, and the diagram of FIG. 6. It is noted that the skilled artisan would view each of the different login accounts 178, 180 and 182 associated with the same client computer 184 as being capable of individually accessing the database 144 of server 186.

Independent claim 1 further now generally recites "*simultaneously executing the plurality of query statements to access said database and transfer associated data subsets into a memory space by logging into the computer network under a different login account for each query statement.*" Support includes the language of cancelled dependent claim 8, as well as in the above reference to page 8, line 25 to page 9, line 3 and FIG. 6. It is noted that the specification makes it clear that the database 144 of server 186 is accessible from

different clients (page 8, lines 28-29), so that the above language includes, but is not limited to, multiple logins using a single client.

Dependent claim 9 has been amended to now depend directly from claim 1 as a result of the cancellation of intervening claim 8.

Independent claim 11 now generally recites a query engine which “*initiates an auto-brake function that limits input/output transfer elapsed time to a maximum value during said transfers of the associated data subsets into the third memory space so that said transfers of the associated data subsets are interrupted when the maximum value is reached.*” Support includes the language of cancelled claim 19 as well as in the specification at page 9, lines 4-14 (“The auto-brake function establishes a maximum time...during which records can be pulled for a given query statement before the server 186 interrupts that particular transfer...”)(page 9, lines 9-12, emphasis added). The skilled artisan would understand the phrases “records can be pulled” and “interrupts that particular transfer” from the specification as exemplarily describing the actual transfer of data subsets into a memory space, as claimed.

Dependent claim 13 has been amended to now generally feature “*the first memory space.*” Support includes the language of independent claim 11. Dependent claim 20 has been amended to now recite “*The computer system of claim 11.*”

These amendments are proper, do not introduce new matter, and serve to place the application in proper condition for reconsideration and allowance.

### **Objections to the Drawings**

The Office Action objected to FIG. 1 on the basis that since only that which is old is

illustrated, the legend "PRIOR ART" should have been included with the figure. While the Applicant points out that data and/or routines in accordance with preferred embodiments of the present invention could be readily stored on the device shown in FIG. 1 (thereby providing a new combination), the Applicant has elected to add the requested label in an effort to advance the present case to allowance. The addition of this label will not form any sort of admission with regard to the claimed subject matter, nor will the addition of this label have any prejudicial effect on the construction and scope thereof.

The Office Action further objected to FIGS. 6 and 7 on the basis that the reference numeral "190" appears in both of these figures. The Applicant's Attorney apologizes for this error, and has corrected the same by changing "190" to "189" in FIG. 6. A corresponding amendment has been made to the specification.

In view of these amendments, the Applicant requests reconsideration and withdrawal of the objection to the drawings.

#### **Objections/Rejections of Claims with Regard to Form**

Claim 13 was objected to on the basis that the recitation "the memory space" was unclear with regard to which memory space this referred to. This error has been corrected above.

Claim 20 was objected to on the basis that it was not grouped with the claims with which it is associated, and correspondingly rejected under 35 U.S.C. §112, second paragraph for a lack of antecedent basis for the recitation "the query engine." As presented, claim 20 recited "The method of claim 1," whereas the claim should have recited "The computer system of claim 11." This error has been corrected above.

The Applicant's Attorney apologizes for the inconvenience to the Examiner as a result of these inadvertent errors, and requests reconsideration and withdrawal of the objection and rejection accordingly in view of these amendments.

**Rejection of Claims Under 35 U.S.C. §§102(b), 103(a)**

Claims 1-5 and 11-15 were rejected as being anticipated by U.S. Patent No. 5,857,180 to Hallmark et al. ("Hallmark '180"). Claims 6-7 and 16-17 were rejected as being obvious over Hallmark '180 in view of U.S. Patent No. 6,011,758 to Dockes et al. ("Dockes '758"). Claims 10 and 20 were rejected as obvious over Hallmark '180 in view of Dockes '758 and an Internet web reference at [www.hmug.org/man/5/crontab.php](http://www.hmug.org/man/5/crontab.php) ("Crontab"). Claims 8 and 18 were rejected as obvious over Hallmark '180 in view of U.S. Patent No. 6,701,345 to Carley et al. ("Carley '345"). Claims 9 and 19 were rejected as obvious over Hallmark '180 in view of Carley '345 and U.S. Published Patent Application No. US2002/0062310 to Marmor et al. ("Marmor '310"). These rejections are respectfully traversed.

Amended claim 1 now generally includes a step of "simultaneously executing the plurality of query statements to access said database and transfer associated data subsets into a memory space by logging into the computer network under a different login account for each query statement." The Applicant agrees with the Examiner that Hallmark '180 fails to disclose, teach or suggest this step. See Office Action, page 11, lines 16-21. The Applicant respectfully submits, however, that Carley '345, as well as the remaining art of record, also fail to disclose, teach or suggest this step.

In support of the rejection of cancelled dependent claim 8, the Examiner referred to the following excerpt from Carley '345:

*What are the benefits of single logon capabilities?  
Due to the number of components, users may be required to have multiple ID(s) and passwords unless the system is designed to allow a user to access all of the required resources through a single logon. As most products on the market typically allow access to only a subset of resources, single logons with multiple ID and password coordination may be difficult to achieve. Issues such as periodic required password changes can be difficult to overcome while maintaining adequate security.* Carley '345, col. 130, lines 42-52 (emphasis added)

One skilled in the art would generally understand this section from Carley '345 to teach that multiple logons by a user to a network may be required in situations where all of the desired resources cannot be reached using a single login account.

This teaches or suggests nothing of any particular significance with regard to the subject matter of claim 1 in which the desired range of data values is identified as being "accessible using a single login account" and the recited plurality of query statements are simultaneously executed "by logging into the computer network under a different login account for each query statement."

Indeed, Carley '345 would appear to direct the skilled artisan away from the claimed subject matter, since the above excerpt views it as beneficial to use a single login account when all of the resources can be reached using that single account. Thus, the Applicant further submits that one skilled in the art would not be motivated to modify/combine the Hallmark '180 and Carley '345 references to arrive at the claimed subject matter.

For these reasons, claim 1 is believed to define subject matter that is patentably

distinct over the art of record. Reconsideration and withdrawal of the rejection of claim 1, and for the claims depending therefrom, are respectfully requested.

With regard to independent claim 11, the Applicant generally agrees with the Examiner that Hallmark '180 and Carley '345 individually or in combination fail to teach or suggest a query engine which *"initiates an auto-brake function that limits input/output transfer elapsed time to a maximum value during said transfers of the associated data subsets into the third memory space so that said transfers of the associated data subsets are interrupted when the maximum value is reached."* See Office Action, page 13, lines 9-14.

The Applicant respectfully submits, however, that Marmor '310, as well as the remaining art of record, fail to disclose, teach or suggest this step.

The Examiner referred to paragraph [0031] of Marmor '310. In support of the rejections of originally presented claims 9 and 19. However, careful review of this paragraph, as well as preceding paragraph [0030], shows that what is under consideration by Marmor '310 is the transmission of a Query packet to initially locate specific content on various computers, not to actually transfer the content. For example, Marmor '310 states:

*A Query packet might ask, "Do you have any content that matches the string "Homer"? This question is sent to all the computers that returned Pong packets to the originating computer. Each of these computers does two things. First, each computer checks to see if it has any content that matches the search string. In this case it looks to see if there are any files in a specified directory marked "sharable to the outside world" that have the letters "Homer" in their complete file path. Second, each computer sends the Query packet on to all the computers to which it is connected. These computers check their directories or indexes and send the Query packet to all their connected computers. This process continues until you run out of computers to ask or until the Query packet gets too old and times out. Marmor '310, para. [0030], lines 5-18 (emphasis added)*

The “timing out” feature of Marmor ‘310 thus relates to a maximum time interval during which a search can take place to locate source(s) for the desired content, thereby preventing the Query from bouncing around “for a very long time, potentially forever.” Marmor ‘310, para [0031], line 3.

Marmor ‘310 goes on to explain that the results of the Query packet search provide a listing of one or more locations (via QueryHit packet returns) from which the desired content can be manually downloaded by the user. Marmor ‘310, para [0032], lines 14-16; para [0033], lines 1-3. The user performs the download by sending a Push packet to the desired source which initiates the transfer. Marmor ‘310, para [0034].

In view of this, the Applicant respectfully submits that none of the art of record disclose, teach or suggest a query engine which “*initiates an auto-brake function that limits input/output transfer elapsed time to a maximum value during said transfers of the associated data subsets into the third memory space*” in the environment of claim 11. Further, the skilled artisan would not be motivated to modify/combine the art of record to arrive at this claimed subject matter.

The Applicant accordingly requests reconsideration and withdrawal of the rejection of independent claim 11, as well as for the claims depending therefrom.

### **Conclusion**

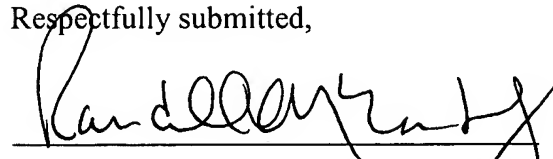
The Applicant respectfully requests reconsideration and allowance of all of the claims pending in the application. This Response is intended to be a complete response to the first Office Action mailed July 28, 2006.



Should any questions arise concerning this response, the Examiner is invited to contact the below signed Attorney.

Respectfully submitted,

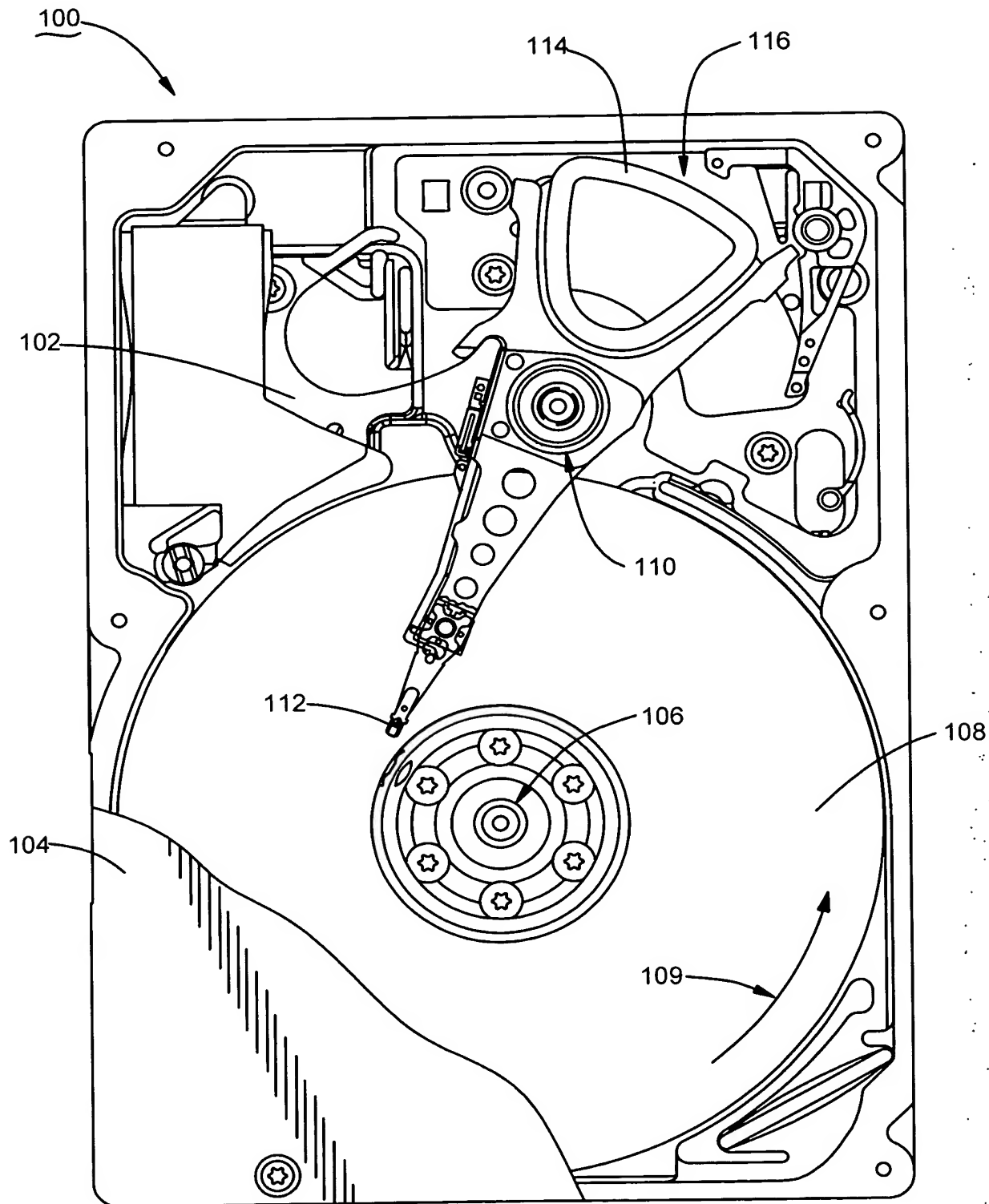
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1/5



**FIG. 1**  
PRIOR ART

5/5

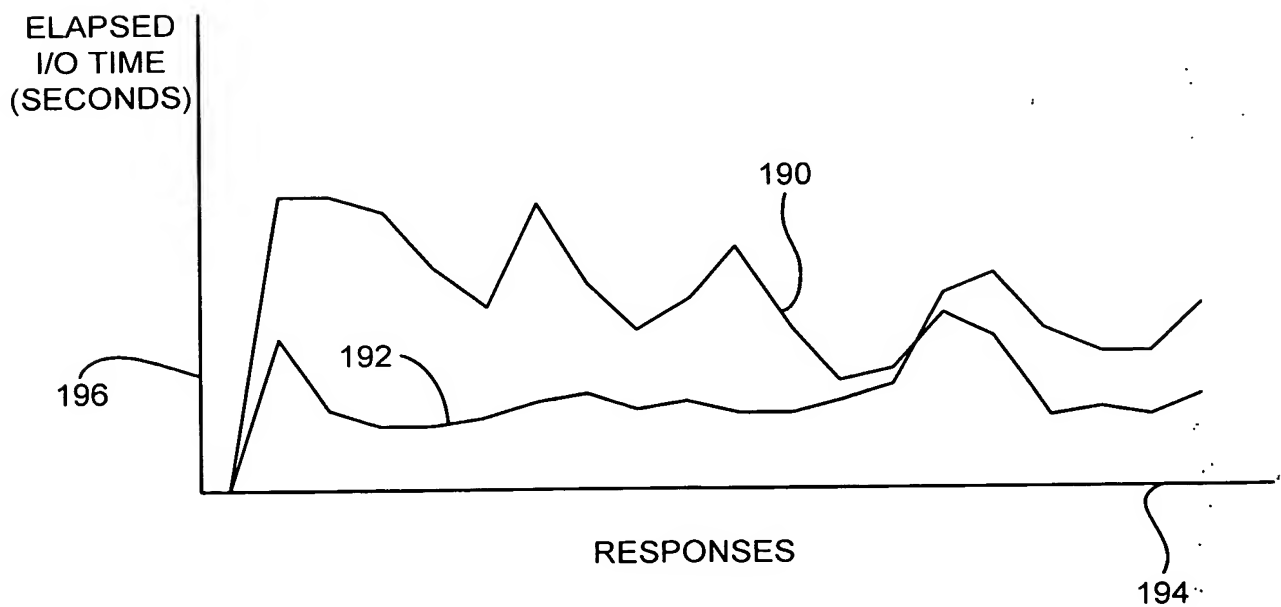
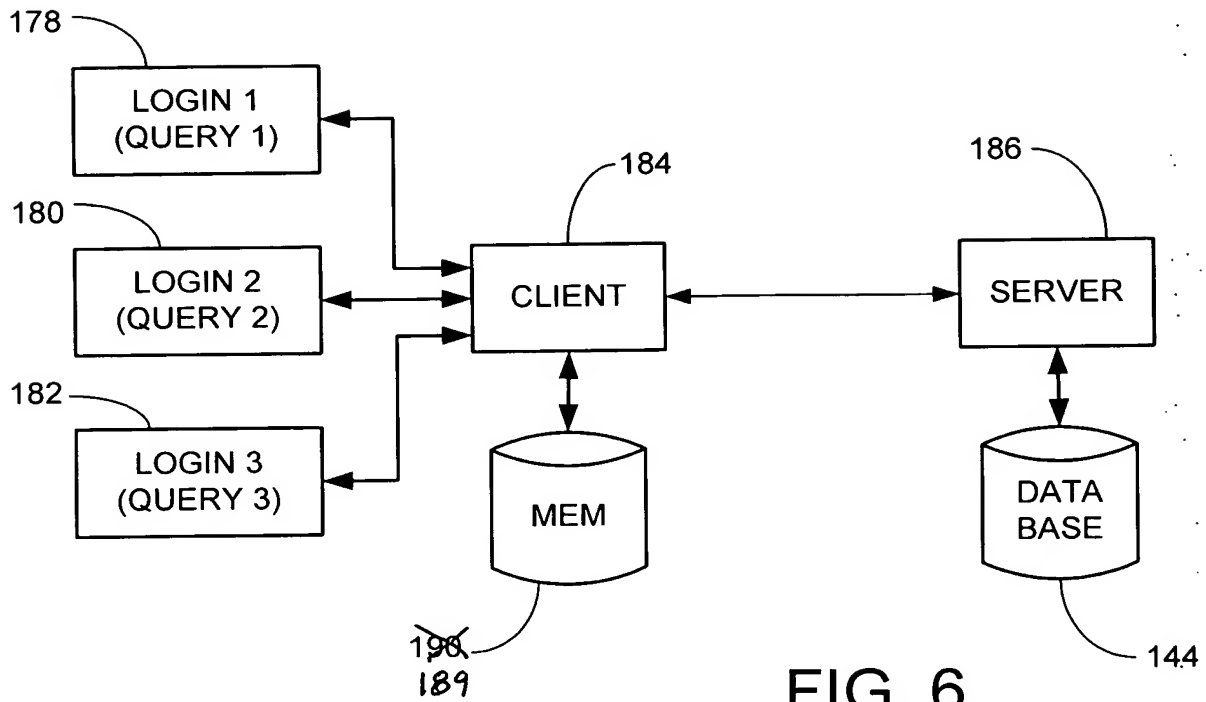


FIG. 7